

AO 91 (Rev. 11/11) Criminal Complaint

## UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA )

v. )

FREDERICK J. HARESIGN )

Case No. 5:21-MJ- 252 (ML)

Defendant )

## CRIMINAL COMPLAINT


I, the complainant in this case, state that the following is true to the best of my knowledge and belief. In or about 2017 in the county of Oswego in the Northern District of New York the defendant violated:

*Code Section*  
18 U.S.C. 2251(a)

*Offense Description*  
Production of Child Pornography

This criminal complaint is based on these facts:  
See Attached Affidavit

☒ Continued on the attached sheet.



*Complainant's signature*  
Special Agent Lindsey R. Kennedy

*Printed name and title*

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: April 29, 2021



*Judge's signature*

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

*Printed name and title*

AFFIDAVIT

I, Lindsey R. Kennedy, having been first duly sworn, do hereby depose and state as follows:

**I. Introduction**

1. I am employed as a Special Agent with Homeland Security Investigations and have been since 2019. Prior to working as a Special Agent, your affiant was a United States Border Patrol Intelligence Agent (BPAI) and a Task Force Officer (TFO) with HSI's Border Enforcement Security Task Force (BEST) in Massena, New York. Prior to working as an intelligence agent and a TFO, your affiant was a United States Border Patrol Agent in Massena, New York and in San Diego, California. Prior to being employed with the United States Border Patrol your affiant received her Bachelor of Science Degree in Criminal Justice from Medaille College in Buffalo, New York. Your affiant investigates potential violations of federal law, including federal child sexual exploitation offenses.

2. I am an investigative or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18, United States Code, Section 2516(1).

3. I make this affidavit in support of a criminal complaint and arrest warrant charging FREDERICK J. HARESIGN with Sexual Exploitation of a Child, in violation of Title 18, United States Code, Section 2251(a).

4. The statements contained in this affidavit are based upon my investigation, information provided to me by other law enforcement officers, and on my experience and training as a Special Agent. Because this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included every fact known to me concerning this

investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that HARESIGN has violated Title 18, United States Code, Section 2251(a) (sexual exploitation of a child).

## **II. Probable Cause**

5. On or about April 19, 2021, a parent reported that her child (“Victim 1”) rode a school bus driven by HARESIGN for a school district in the Northern District of New York. The parent reported that Victim 1 told her that HARESIGN had asked Victim 1 for pictures in exchange for gifts. Victim 1 is a minor child born in 2004 whose identity is known to HARESIGN and who was approximately twelve to thirteen years’ old during the events described in this affidavit.

6. Law enforcement interviewed Victim 1 on or about April 20, 2021 and April 22, 2021. According to Victim 1, a few years ago HARESIGN provided Victim 1 with a digital camera and asked that Victim 1 take pictures of Victim 1’s genitals and of Victim 1 masturbating. Thereafter, for a period of approximately eight months, Victim 1 created those images and videos every couple of days and then provided those images and videos to HARESIGN by giving him back the digital camera. Victim 1 estimated that Victim 1 recorded masturbating approximately fifty times and provided those videos to HARESIGN. Victim 1 explained that HARESIGN gave Victim 1 nicotine products, cash, and other gifts in exchange for Victim 1 creating the sexually explicit images and videos and giving them to HARESIGN.

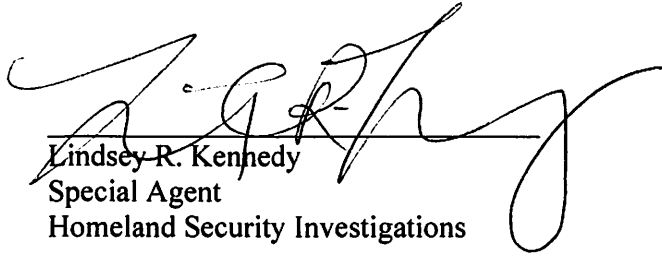
7. On or about April 29, 2021, law enforcement conducted a search of HARESIGN’s residence in Oswego, New York pursuant to a search warrant issued by the Oswego County Court. During the search, law enforcement recovered a Nikon Coolpix digital camera without an external storage device card. In my training and experience, Nikon Coolpix digital cameras are manufactured outside the State of New York. Law enforcement conducted a manual review of the

camera's internal storage and identified seven photographs of an adolescent's genitals. In each image, the camera is focused on the adolescent's genitals in a lewd and lascivious fashion. In the background of three of the photographs – dated in 2017 – a school bus seat is visible. In my training and experience, the above described seven images are child pornography. The images are available to the Court for review upon request.

8. In connection with the search, HARESIGN consented to an interview with law enforcement. That interview was audio and video recorded. HARESIGN was provided *Miranda* warnings and waived his rights before answering questions. HARESIGN admitted that he had asked Victim 1 to create sexually explicit images and videos of Victim 1's genitals and of Victim 1 masturbating, that Victim 1 had created those images and videos for HARESIGN, and that HARESIGN had given Victim 1 nicotine products and other items in exchange. HARESIGN acknowledged that Victim 1 created the sexually explicit images and videos over a period of approximately one-year and that HARESIGN used the material he obtained from Victim 1 for HARESIGN's own sexual gratification. HARESIGN also confirmed that the seven sexually explicit images described above, as well as other non-sexually explicit images of an adolescent found on the camera, were of Victim 1.

### **III. Conclusion**

9. Based upon the above information, there is probable cause to believe that FREDERICK J. HARESIGN persuaded, induced, enticed, and coerced Victim 1 to engage in sexually explicit conduct for the purpose of producing visual depictions of that conduct, in violation of Title 18, United States Code, Section 2251(a).



Lindsey R. Kennedy  
Special Agent  
Homeland Security Investigations

ATTESTED TO BY THE APPLICANT IN ACCORDANCE WITH FEDERAL RULE OF CRIMINAL PROCEDURE 4.1

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on April 29, 2021, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Miroslav Lovric  
United States Magistrate Judge